



U.S. Department of Homeland Security

United States Coast Guard

Fifth Coast Guard District
LOCAL NOTICE TO MARINERS

Coastal Waters From Shrewsbury River, New Jersey to Little River, South Carolina

WEEKLY SUPPLEMENT

August 31, 2004

NIS watchstander, 24 hours a day at (703) 313-5900

INTERNET ADDRESS

[HTTP://www.navcen.uscg.gov](http://www.navcen.uscg.gov)

Weekly supplemental editions contain new information only available following the monthly edition. NOTE: Chart corrections and Light List changes appear only once each. A complete listing of current discrepancies and temporary changes appear in each issue. The **Local Notice to Mariners** is updated each Wednesday on the U.S. Coast Guard Navigation Center website at www.navcen.uscg.gov/lnm/d5. If you have questions about the LNM, contact:

COMMANDER, FIFTH COAST GUARD DISTRICT (oan)
431 Crawford Street, Portsmouth, Virginia, 23704-5004
Telephone (Day): (757)-398-6486. 24 Hour FAX: (757) 398-6303

BROADCAST NOTICE TO MARINERS

This section contains corrections to federal and private maintained Aids to Navigation, as well as NOS corrections. Navigation information having been of immediate concern to the Mariner and promulgated by the following **Broadcast Notice to Mariners (BNM's)** have been incorporated in this notice when still significant at the date of this publication.

CCGD5 (D5)	D5 358-04, 359-04, 379-04, 380-04, 385-04, 386-04, 390-04 THRU 394-04.
Group Philadelphia	PH 320-03, 321-03, 026-04, 045-04, 101-04, 178-04, 208-04, 215-04, 224-04, 229-04, 231-04, 258-04, 264-04, 265-04, 294-04, 297-04.
Group Atlantic City	AC 310-04, 311-04, 312-04, 316-04, 322-04 THRU 327-04, 329-04.
Activities Baltimore	BA 695-04, 696-04, 710-04, 712-04 THRU 720-04, 722-04.
Group Eastern Shore	ES 136-04, 137-04.
Group Hampton Roads	HR 411-04 THRU 413-04.
Group Cape Hatteras	CH 160-04, 165-04.
Group Fort Macon	FM 313-04, 316-04, 319-04 THRU 321-04.

REFERENCES

Light List Reference: **ATLANTIC COAST, VOLUME II, COMDTPUB P16502.2, 2004 Edition**

U.S. Coast Pilot 3, Atlantic Coast: Sandy Hook to Cape Henry (37th) Edition

U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West (35th) Edition

All bearings are in degrees TRUE – All times are in Local Time unless otherwise noted. \

NAVIGATION INTERNET SITES

Chart Corrections:	http://chartmaker.ncd.noaa.gov and http://www.maptech.com
2004 Light List/ Summary of Corrections	http://www.navcen.uscg.gov/pubs/LightLists/LightLists.htm
Coast Pilot Corrections:	HTTP://nauticalcharts.noaa.gov/ncd/cpdownload.htm
D5 LNM on Internet/Archived Back Issues for 2004:	HTTP://www.navcen.uscg.gov/lnm/d5
Chesapeake Bay Weather Buoys:	Http://www.cbos.org/client.cgi
NOAA Weather Buoy sites:	http://seaboard.ndbc.noaa.gov/Maps/wrldmap.shtml
Tides On Line:	http://www.tidesonline.nos.noaa.gov
Tides, Currents, PORTS:	http://www.co-ops.nos.noaa.gov
ACOE Wilmington NC Navigation Link for NC portions Of the AAICW and coastal inlet depths (updated weekly)	http://www.saw.usace.army.mil/nav/Depths/shoaling3-10-04.pdf
Weather:	http://www.intellicast.com/
LANTAREA/ District 5 Local Notice To Mariners for correspondence:	http://d5local@lantd5.uscg.mil

I. SPECIAL NOTICES: This section contains information of special concern to the Mariner.

FIFTH COAST GUARD DISTRICT WATERS – INCREASED THREAT LEVEL

The U.S. Coast Guard is asking for assistance from all mariners to be on the lookout while they are transiting the local waterways. The Department of Homeland Security (DHS) and the U.S. Coast Guard are asking you to report any suspicious or peculiar activity that you may observe. Please make all reports to the U.S. Coast Guard via VHF-FM CH 16 or by using your cell phone to dial 911, the National Response Center (NRC) at 1-800-424-8802 or to the DHS Watch and Warning unit at (202) 323-3205.

CHESAPEAKE BAY REGULATED NAVIGATION AREA (RNA) REQUIREMENTS FOR PORT ENTRY/TRANSIT/DEPARTURE

Mariners have been advised that there has been an amendment to the **Chesapeake Bay Regulated Navigation Area**, which requires all vessels 300 gross tons, and over, including tug and barge combined, to obtain permission prior to entering, departing, and/or moving within the **Regulated Navigation Area**. To obtain permission, vessels shall contact the **Joint Harbor Operations Center (JHOC)** prior to entry or movement via Channel 12, or 13/16 VHF-FM and relay vessel documentation number, IMO number or VIN for verification. This includes entries from offshore, James River, Chesapeake Bay or Intracoastal Waterway. Alternate JHOC phone numbers are (757) 444-5210/5209. If the JHOC cannot be reached, the Captain of the Port (COTP) Command Duty Officer may be reached at (757) 668-5555.

REQUIRED BALLASTWATER MANAGEMENT REPORTS FOR VESSELS OPERATING OUTSIDE THE EEZ

Mariners are reminded that in accordance with 33 CFR 151.2040, all vessels which carry ballast water, including residual ballast water and sediments, are asked to submit a Ballast Water Management Report after operating outside the EEZ at their first port of call in U.S. waters. These reports may be transmitted electronically to <http://invasions.si.edu/ballast.htm>, e-mailed to ballast@serc.si.edu, faxed to Commandant, U.S. Coast Guard, c/o the NBIC at **301-261-4319**, or mailed to U.S. Coast Guard, c/o Smithsonian Environmental Research Center (SERC), P.O. Box 28, Edgewater, MD 21037-0028.

LATEST EDITIONS OF NOAA PUBLICATIONS

The Dates of Latest Editions, Nautical Charts and Miscellaneous Maps, dated July 1, 2004, published by the National Ocean Service, is available for issue. It may be obtained free by mail from the National Aeronautical Charting Office, AVN-530, Federal Aviation Administration, 6303 Ivy Lane, Suite 400, Greenbelt MD, 20770-1479, by telephone at 1-800-638-8972 or from your local authorized nautical chart sales agent. This is a quarterly publication listing the most recent editions of nautical charts, miscellaneous maps and publications relating to navigation, weather, etc. with brief descriptions and up-to-date prices for most of the publications listed. Much of this information may also be obtained online at: <http://chartmaker.ncd.noaa.gov/mcd/dole.htm>

NJ & PA – UPPER DELAWARE – DELAWARE RIVER – BRIDGE RESTRICTIONS

The Coast Guard has authorized New Jersey Transit to restrict the operation of the Delair Railroad (vertical-lift) Bridge, at mile 104.6, across the Delaware River, in Philadelphia, Pennsylvania. To facilitate replacement of bridge timbers, the bridge will be maintained in the closed-to-navigation position each day from 8 a.m. to 4 p.m. on ten consecutive Mondays: on **September 20 and 27**; on **October 4, 11, 18, and 25**; and on **November 1, 8, 15, and 22, 2004**. At all other times, the bridge will operate in accordance with the current operating regulations outlined in 33 CFR 117.716. The available vertical clearance in the closed-to-navigation position is approximately 55 feet, at mean high water. Mariners able to pass under the closed span are advised to exercise extreme caution when transiting the area. **Chart 12314.**

NJ – DE – PA – DELAWARE RIVER – REEDY ISLAND – HAZARD TO NAVIGATION

There has been an anchor and wire lost in the vicinity of Reedy Island Anchorage #3 in position 39°-30'.6N, 075°-32'.6W. Mariners are advised to use extreme caution while transiting this area. **Chart 12311.**

MD – CHESAPEAKE BAY – APPROACHES TO BALTIMORE HARBOR – HAZARD TO NAVIGATION

There has been an anchor and 400 feet of chain lost in General Anchorage #3 in approximate position 39°-14'-44".6N, 076°-33'-08".8W. Mariners are urged to use extreme caution when transiting the area. **Chart 12281.**

MD-VA-DC-POTOMAC RIVER-MATTAWOMAN CREEK TO GEORGETOWN – SECURITY ZONES

Mariners are advised that due to heightened security alert conditions in and near Washington, DC, the Coast Guard has established temporary security zones upon the waters of the Potomac River. These security zones will remain in effect until **November 30, 2004**. The areas include: (A) for all persons or vessels engaged in commercial service, all waters of the Potomac River, surface to bottom, from the Woodrow Wilson Memorial Bridge upstream to the Long Railroad Bridge, including the waters of the Anacostia River downstream from the Highway 50 Bridge to the confluence with the Potomac River. Vessels engaged in commercial service must contact the Captain of the Port (COTP) Baltimore or his designated representative by telephone at (202) 767-1194, or U.S. Coast Guard Station Washington, D. C. on VHF-FM Channels 16 or 23A for authorization prior to entering or moving within this security zone, (B) for all other persons or vessels, all waters of the Georgetown Channel, Potomac River, surface to bottom, from the Long Railroad Bridge upstream to the Francis Scott Key Bridge. Vessels are allowed to enter, move within, or remain in this security zone, only with the authorization of the COTP Baltimore. **Chart 12289.**

MD-CHESAPEAKE BAY-SEVERN RIVER-SPA CREEK – ANNAPOLIS BOAT SHOW

Annapolis Boat Shows, Inc. will conduct its annual U. S. Sailboat and Powerboat Shows in Annapolis Harbor from **Thursday, October 7** through **Sunday October 17, 2004**. In support of these events, temporary pilings, floating docks and submerged electrical cables will be placed in the northwestern quadrant of Annapolis Harbor beginning on **Monday, October 4, 2004**, and will remain in place through **Wednesday, October 20, 2004**. In addition, mariners are advised that special anchoring restrictions in the harbor will be in effect in the event of severe weather during this period. For any comments or questions, contact the Annapolis City Harbormaster's office, on marine radio VHF-FM Channel 17, or at telephone number (410) 263-7973. **Chart 12283.**

VA/MD – POTOMAC RIVER – WOODROW WILSON BRIDGE – BRIDGE INFO

Mariners are advised that construction of the new Woodrow Wilson Memorial Drawbridge across the Potomac River, mile 103.8, between the City of Alexandria, Virginia and Oxon Hill, Maryland is ongoing until 2010. Excessive speed and wake by boaters may cause serious or fatal incidents to the Bridge project. It is crucial that mariners obey the speed restrictions and eliminate wakes through the work zone due to the sensitive and precise nature of the work and for worker safety. A temporary floating/sliding bridge will be in place in the waterway during drawbridge construction until further notice. There will be intermittent day-time channel restrictions as a result of the floating bridge and mariners are urged to listen to the BNMs for updates of it's position in the waterway. Mariners are also urged to use extreme caution when transiting this area for work barges, exposed piles, and anchor buoys. For further information and updates to construction operations, contact Mr. Mike Baker, Environmental Construction Manager for the Woodrow Wilson Bridge Project at 301-567-0094 Ext 242 or visit the Project's website online at www.wilsonbridge.com. **Charts 12285 & 12289.** Bridge. **Chart 12207.**

VA – LYNNHAVEN INLET – CRAB CREEK - SHOALING

The City of Virginia Beach reports that shoaling has occurred at the entrance to Crab Creek; between Crab Creek Entrance Buoy 2C (LLNR 10157) and Crab Creek Entrance Buoy 3C (LLNR 10157.01). . Mariners are urged to use extreme caution when transiting the area. **Charts: 12205, 12222 & 12254.**

VA – COASTAL – U.S. NAVAL BASE DAM NECK, VIRGINIA BEACH – SMALL ARMS RANGE LIVE FIRE SCHEDULE

All vessel operators are reminded to review Navigation Regulations as described in paragraph 334.380 of Chapter 2, of **U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West** when operating south of the entrance to the Chesapeake Bay, off the Dam Neck Naval Firing Range. When firing is in progress during daylight hours, red flags will be displayed at conspicuous locations on the beach at the facility. Vessels shall proceed through the area with caution and shall remain in the area no longer than necessary for transit.

The U.S. Naval Base Dam Neck Live Fire Range will be active during the following periods:

Sep 16-17, 2004 from 6:00 a.m. to 1:00 p.m.

Sep 20-24, 2004 from 6:00 a.m. to 1:00 p.m.

Sep 27-30, 2004 from 6:00 a.m. to 1:00 p.m.

Night live fire operations will be commence at 4:30 a.m. and last approximately 90 minutes on the following dates: 23-24 September and 29-30 September. **Charts: 12203, 12205.12207 & 12221.**

VA – COASTAL – STATE MILITARY RESERVATION, CAMP PENDLETON, VIRGINIA BEACH – SMALL ARMS LIVE FIRE SCHEDULE

The Camp Pendleton State Military Reservation Live Fire Small Arms Range described as "all of the waters seaward of the mean high water shore line within a sector between radial lines extending 13,500 yards seaward and bearing 090 degrees true and 150 degrees true, respectively, from a point on shore at 36° 49' 09"N, 075° 58' 45"W". All vessel operators are reminded to review Navigation Regulations as described in paragraph 334.380 of Chapter 2, of **U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West** when operating south of the entrance to the Chesapeake Bay. Firing will take place only during daylight hours and red flags will be displayed at conspicuous locations on the beach at the facility. Vessels shall proceed through the area with caution and shall remain in the area no longer than necessary for transit. **Charts: 12203, 12205.12207 & 12221.**

The Camp Pendleton Live Fire Range will be active during the following periods:

15-16 September, 2004 - from 8:00 a.m. to 04:00 p.m.

17-18 September, 2004 - from 8:00 a.m. to 04:00 p.m.

06-07 November, 2004 - from 8:00 a.m. to 04:00 p.m.

04-05 December, 200 4 - from 8:00 a.m. to 04:00 p.m.

08-09 January, 2005 - from 8:00 a.m. to 04:00 p.m.

05-06 February, 2005 - from 8:00 a.m. to 04:00 p.m.

12-13 March, 2005 - from 8:00 a.m. to 04:00 p.m.

21-22 May 2005 - from 8:00 a.m. to 04:00 p.m.

NORTH CAROLINA – INTRACOASTAL WATERWAY (ICW) – WRIGHTSVILLE BEACH– BRIDGE CLOSURE

The Wrightsville Beach Bridge, at ICW mile 283.1, across the North Carolina Cut will be closed to vessel traffic, on **Saturday, September 18, 2004**, from 7 a.m. until 11 a.m. to accommodate the 26th Annual Wilmington YMCA Triathlon. To avoid delays, mariners should plan their trips accordingly. **Chart 11541**

NC – COASTAL- BOGUE INLET TO NEW RIVER INLET AND NEW RIVER (AICWW) – Firing Exercises

The Commanding General, Marine Corps Base Camp Lejeune, North Carolina has advised that the danger zone (depicted as 334.440) as shown on National Ocean Service **Chart 11543**, and AICWW at New River may be hazardous to navigation due to field firing exercises. Firing exercises are scheduled daily. For additional information concerning specific dates and times refer to Monthly. **LNM 31/04.**

II. DISCREPANCIES: This section lists all discrepancies to Aids to Navigation and those corrected since the last published list. A discrepancy is a change in the status of an aid to navigation that differs from what is published and or charted.

DISCREPANCY ABBREVIATIONS

AC= Group Atlantic City	BA= Activities Baltimore	BNM= Broadcast Notice to Mariners
CH= Group Cape Hatteras	DBD= Dayboard	DBN= Daybeacon
DEST= Destroyed	ES= Group Eastern Shore	EXT= Extinguished
FM= Group Fort Macon	IMCH= Improper Characteristics	INOP= Inoperative
LNM= Local Notice to Mariners	LT= Light	OFF STA= Off Station
PH= Group Philadelphia	SHL= Shoaling	TRLB= Temporary Lighted Buoy
TRUB= Temporary Unlighted Buoy	TRLT= Temporary Light	

FEDERAL AIDS DISCREPANCIES As of 0800 a.m. 31 August 2004.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
505	Rudee Inlet Jetty Light 4	LT EXT	12200	0142HR	10/03
510	Rudee Inlet Jetty Daybeacon 5	DBN DEST	12221	0502HR	49/02
640	Diamond Shoal Lighted Buoy 12	BUOYDMGD/LT EXT	11009	0379D5	33/04
950	Barnegat Inlet Lighted Buoy 9	LT EXT	12324	0305AC	33/04
1195	Absecon Inlet Breakwater Light 7	DBN DEST	12318	0388AC	42/03
1460	Cape May Harbor Range Rear Light	LT EXT	12214	0293AC	33/04
1485	Delaware Bay Approach Lighted Whistle Buoy CH	LT EXT	12304	0312AC	34/04
2050	Harbor of Refuge North End Light	LT EXT	12214	0311AC	34/04
2115	Rehoboth Bay Channel Light 9	TRLB	12216	0035ES	06/04
2117	Rehoboth Bay Buoy 10	OFF STA	12214	0137ES	35/04
2125	Rehoboth Bay Daybeacon 12	MISSING	12216	0023ES	06/04
2148	Rehoboth Bay Channel Daybeacon 19	TRUB	12214	0048ES	09/04
2170	Rehoboth Bay Channel Daybeacon 25	DBN IMCH	12216	0136ES	35/04
2660	Salem River Entrance Channel Range Rear Light	LT DIM	12277	0223PH	27/04
3715	Frankford Channel Upper Directional Light	LT EXT	12314	0264PH	32/04
3775	Upper Delaware River Channel Lighted Buoy 18	LT EXT	12314	0258PH	31/04
3840	Enterprise Upper Range Front Light	LT DIM	12314	0304PH	34/03
3845	Enterprise Upper Range Rear Light	LT DIM	12314	0305PH	34/03
4105	Florence Upper Range Rear Light	LT EXT	12314	0299PH	35/04
4400	Indian River Inlet Buoy 11	BUOYSINK	12214	0123ES	27/04
4420.1	Indian River Inlet Daybeacon 17A	TRLB	12214	0018ES	05/04
4430	Indian River Junction Light IR	TRLB	12214	0013ES	07/04
4445	Pepper Creek Daybeacon 2	TRUB	12216	0043ES	09/04
4470	Pepper Creek Lighted Buoy WR10	TRLB	12216	0101ES	22/04
4840	Isle of Wight Bay Daybeacon 7	TRUB	12211	0100ES	21/04
4867	Isle of Wight Bay Buoy 12A	OFF STA	12211	0117ES	25/04
4995	Sinepuxent Bay Daybeacon 1	TRUB	12211	0083ES	17/04
5015	Sinepuxent Bay Channel Daybeacon 6	TRUB	12211	NONEHR	11/04
5105	Sinepuxent Bay Channel Daybeacon 27	TRUB	12211	NONEHR	11/04
5140	Sinepuxent Bay Channel Daybeacon 37	TRUB	12211	NONEHR	11/04
5145	Sinepuxent Bay Channel Light 39	TRLB	12211	NONEHR	11/04
5195	Chincoteague Bay Daybeacon 29	TRUB	12211	0060ES	11/04
5200	Chincoteague Bay Light 28	TRLB	12211	0045ES	09/04
5205	Chincoteague Bay Daybeacon 26	TRUB	12211	0058ES	10/04
5215	Chincoteague Bay Daybeacon 23	TRUB	12211	0058ES	10/04
5220	Chincoteague Bay Light 21	TRLB	12211	0045ES	09/04
5235	Chincoteague Bay Daybeacon 19	TRUB	12211	0058ES	10/04
5240	Chincoteague Bay Light 18	TRLB	12211	NONEHR	16/04
5245	George Island Landing Channel Light 1	TRLB	12211	NONEHR	11/04
5365	Chincoteague Channel Warning Daybeacon	TRUB	12210	0042ES	07/04
5405	Chincoteague Channel Daybeacon 30	TRUB	12210	0091ES	19/04
5477	Chincoteague Bay Daybeacon 16A	TRUB	12211	0045ES	09/04
5487	Chincoteague Bay Daybeacon 20	TRUB	12211	0057ES	10/04
5490	Chincoteague Bay Light 21	TRLB	12211	0045ES	09/04
5520	Virginia Inside Passage Daybeacon 1	TRUB	12210	NONEHR	11/04
5531	Virginia Inside Passage Daybeacon Warning Daybeacon A	TRUB	12210	NONEHR	33/04
5620	Virginia Inside Passage Daybeacon 11	TRUB	12210	0069ES	13/04
5635	Virginia Inside Passage Daybeacon 16	TRUB	12210	0036ES	07/04
5665	Virginia Inside Passage Daybeacon 24	TRUB	12210	0121ES	26/04
5685	Virginia Inside Passage Daybeacon 30	TRUB	12210	NONEHR	11/04
5690	Virginia Inside Passage Daybeacon 32	TRUB	12210	NONEES	33/04
5695	Virginia Inside Passage Daybeacon 33	TRUB	12210	NONEES	33/04
5700	Virginia Inside Passage Daybeacon 34	TRUB	12210	NONEES	33/04
5710	Virginia Inside Passage Daybeacon 36	TRUB	12210	NONEES	33/04
5720	Virginia Inside Passage Daybeacon 38	TRUB	12210	NONEES	33/04
5777	Virginia Inside Passage Daybeacon 59	TRUB	12210	0132ES	33/04
5778	Virginia Inside Passage Daybeacon 60	TRUB	12210	NONEES	33/04

5825	Virginia Inside Passage Daybeacon 72	TRUB	12210	0165ES	42/03
5830	Virginia Inside Passage Daybeacon 73	TRUB	12210	NONEES	33/04
5835	Virginia Inside Passage Daybeacon 75	TRUB	12210	0037ES	07/04
5845	Virginia Inside Passage Daybeacon 77	TRUB	12210	NONEHR	11/04
6105	Virginia Inside Passage Daybeacon 151	TRUB	12210	0116ES	25/04
6139	Virginia Inside Passage Daybeacon 158A	TRUB	12210	0070ES	13/04
6155	Virginia Inside Passage Daybeacon 162	TRUB	12210	NONEHR	25/04
6388	Virginia Inside Passage Daybeacon 220	TRUB	12221	NONEHR	11/04
6485	Virginia Inside Passage Daybeacon 244	DBN DMGD	12221	0026ES	06/04
6575	Virginia Inside Passage Daybeacon 264	TRUB	12224	0206ES	51/03
6590	Virginia Inside Passage Light 267	DBN DMGD	12221	NONEHR	11/04
6790	North Inlet Light 1	TRLB	12210	NONEHR	11/04
7245	Old Plantation Flats Light	DBN DMGD	12221	0350HR	30/04
7290	Rappahannock Shoal CH S. Range FT LT	LT EXT	12280	0297HR	26/04
8030	Craighill Channel Lighted Buoy 6	LT EXT	12273	0633BA	29/04
9005	Elk River Channel Lighted Buoy 11	LT EXT	12274	0720BA	35/04
9565	Norfolk International Terminal Daybeacon 6	TRUB	12206	0344HR	30/04
11700	James River Channel Light 24	TRLB	12248	0294HR	25/04
12065	Goose Hill Channel Range Front Light	LT EXT	12248	0387HR	33/04
12070	Goose Hill Channel Rear Range Light	LT EXT	12248	0388HR	33/04
12220	James River Lighted Buoy 62	LT DIM/DBN IMCH	12251	0235HR	20/04
12420	Jordan Point Range Rear Light	LT EXT	12251	0160HR	15/04
12530	James River Channel Light 120	TRLB	12251	0445HR	33/03
12600	James River Channel Light 121	TRLB	12252	0331HR	29/04
13550	York River West Range Front Light	TRLB	12238	0542HR	40/03
13555	York River West Range Rear Light	LT IMCH	12238	0239HR	21/04
16985	Bransons Cove Daybeacon 1B	TRLB	12285	0653BA	30/04
17205	Dukeharts Channel Daybeacon 9	TRUB	12285	0551BA	24/04
17210	Dukeharts Channel Daybeacon 10	TRUB	12285	0552BA	24/04
17330	Wicomico River Daybeacon 13W	TRLB	12286	0312BA	09/04
17375	Horsehead Cliffs Warning Daybeacon	TRLB	12285	0659BA	31/04
17770	Port Tobacco River Light 1	TRLB	12288	0457BA	18/04
17920	Potomac Creek Daybeacon 3	TRUB	12285	NONEBA	13/04
18280	Occoquan River Channel Daybeacon 7	TRLB	12285	0542BA	24/04
18810	St. Jerome Creek Light 4	TRLB	12285	0300BA	09/04
18880	Patuxent River Light 3	DBN DMGD	12230	0554BA	24/04
19410	Rockhold Creek Light 6	DBN IMCH	12270	0722BA	35/04
21435	Old Plantation Flats Light	DBN DMGD	12221	0350HR	30/04
21440	Cape Charles City Range A Front Light	DBN DMGD	12224	0180HR	16/04
21450	Cape Charles City Light 1	TRLB	12221	0347HR	30/04
21530	Kings Creek Junction Light KC	TRLB	12224	0372HR	32/04
22330	Muddy Creek Daybeacon 1	TRUB	12225	0598BA	27/04
22335	Muddy Creek Daybeacon 3	TRLB	12228	0598BA	27/04
22580	Pocomoke River Channel Buoy 18	OFF STA	12228	0512BA	22/04
22990	Rhodes Point Gut Channel Daybeacon 1	TRUB	12231	0340BA	40/02
23145	Tyler Creek Channel Daybeacon 9	TRUB	12231	0002BA	02/04
23280	Big Annemessex River Light 1	TRLB	12230	0318BA	10/04
23300	Big Annemessex River Light 6	TRLB	12231	0312BA	09/04
23380	Manokin River Light 2	MISSING	12230	0454BA	18/04
23430	Manokin River Daybeacon 9	TRLB	12231	0312BA	09/04
23495	Lower Thorofare Channel Light 2	FS INOP/TRLB	12230	0434BA	16/04
23645	Sharkfin Shoal Channel Range Front Light	TRLB	12230	0493BA	21/04
23650	Sharkfin Shoal Channel Range Rear Light	MISSING	12230	0312BA	09/04
23795	Webster Cove Channel Buoy 1	OFF STA	12230	0654BA	30/04
24400	Goose Creek Light 1	TRLB	12261	0312BA	09/04
24410	Fishing Bay Light 3	TRLB	12230	0312BA	11/04
24470	Hearns Cove Channel Light 5	TRLB	12261	0312BA	09/04
24525	Honga River Light 12	TRLB	12230	0312BA	09/04
24580	Tar Bay Channel Light 1	TRLB	12280	0400BA	14/04
24620	Tyler Cove Channel Daybeacon 1	TRUB	12261	0639BA	30/04
24625	Tyler Cove Channel Daybeacon 2	TRUB	12264	0640BA	30/04
25525	Irish Creek Daybeacon 6	TRUB	12266	0220BA	14/01
27325	Bush River Light 5	TRLB	12273	0318BA	10/04
28315	Walter Slough Daybeacon 4	TRUB	12204	0165CH	35/04
28335	Walter Slough Daybeacon 8	TRUB	12204	0141CH	30/04
28495	Roanoke Sound Channel Daybeacon 24A	TRUB	12204	0123CH	27/04
29140	Barden Inlet Light 1	TRLB	11545	NONEFM	04/04
29235	Barden Inlet Light 21	TRLB	11545	0310FM	33/04
29559	Bogue Inlet Buoy 14	OFF STA	11541	0309FM	33/04
29745	New River Channel Daybeacon 15	DBN IMCH	11541	0320FM	35/04
29765	Courthouse Bay Daybeacon 1	DBN IMCH	11542	0321FM	35/04
29975	New Topsail Inlet Buoy 1	MISSING	11541	0310FM	33/04
30010	New Topsail Inlet Lighted Buoy 5	TRUB	11541	NONEFM	09/04
30130	Banks Channel Daybeacon 19	TRUB	11541	0237FM	27/04

30215	Wrightsville Channel Daybeacon 13	MISSING	11541	0310FM	33/04
30285	Carolina Beach Inlet Buoy 5	OFF STA	11534	0300FM	33/04
30435	Oak Island Channel Daybeacon 6	TRUB	11537	0311FM	33/04
30665	Cape Fear Channel Lighted Buoy 30	TRLB	11534	NONEFM	04/04
30835	Cape Fear River Channel Light WR 57	MISSING	11537	NONEFM	13/04
31025	Lockwoods Folly Inlet Buoy 4	MISSING	11534	0319FM	35/04
31035	Lockwoods Folly Inlet Buoy 7	OFF STA	11534	0319FM	35/04
31055	Shallotte Inlet Buoy 1	MISSING	11536	0310FM	33/04
31130	Calabash Creek Daybeacon 6	MISSING	11534	0310FM	33/04
31135	Calabash Creek Daybeacon 7	DBN IMCH	11534	0310FM	33/04
31665	Kendrick Creek Channel Daybeacon 2	MISSING	12205	0143CH	30/04
32385	Southwest Point Royal Shoals Warning Daybeacon RS	MISSING	11548	0054CH	12/04
32470	Lower Middle Ground Light LM	TRLB	11548	NONEFM	06/04
32720	Fodrey Creek Light 1	TRLB	11548	0098FM	04/04
33245	Gaylord Bay Ferry Terminal Channel Light 1	TRLB	11554	0220FM	24/04
33505	Raccoon Island North Daybeacon	MISSING	11541	NONEFM	50/03
33530	West Bay Mile Marker Light	MISSING	11548	0401FM	39/03
34320	Harbor Island Warning Daybeacon	DBN DMGD	11544	0102FM	10/03
34345	Core Sound Channel Light 5	TRLB	11550	0387FM	27/04
34375	Core Sound Light 13	TRLB	11544	0427FM	40/03
34395	Core Sound Daybeacon 18A	TRUB	11550	0362FM	35/03
34460	Core Sound Light 19A	TRLB	11544	0448FM	42/03
34485	Core Sound Daybeacon 23	TRUB	11550	0363FM	35/03
34545	Core Sound Light 28	TRLB	11544	0401FM	39/03
34710	Brooks Creek Daybeacon 1	DBN IMCH	12266	0310FM	34/04
34770	North River Warning Light	DBN DMGD	11545	0527FM	49/03
34932	Manasquan Inlet Light 3	LT EXT	12300	0310AC	34/04
34934	Manasquan Inlet Light 4	LT EXT	12324	0316AC	34/04
35050	New Jersey Intracoastal Waterway Daybeacon 21	TRLB	12324	0151AC	17/04
35080	New Jersey Intracoastal Waterway Light 29	TRLB	12324	0130AC	15/04
35120	New Jersey Intracoastal Waterway Light 39	DBN DMGD	12324	0259AC	29/04
35320	New Jersey Intracoastal Waterway Daybeacon 82	TRLB	12324	0113AC	13/04
35875	New Jersey Intracoastal Waterway Daybeacon 223	MISSING	12316	0416AC	45/03
35895	New Jersey Intracoastal Waterway Light 230	TRLB	12316	NONEAC	29/04
36015	New Jersey Intracoastal Waterway Daybeacon 265	TRUB	12316	NONEAC	29/04
36055	New Jersey Intracoastal Waterway Daybeacon 277	DBN DMGD	12316	0121AC	13/04
36275	New Jersey Intracoastal Waterway Light 340	TRLB	12316	0289AC	33/04
36535	New Jersey Intracoastal Waterway Buoy 424	OFF STA	12316	0228AC	26/04
38390	Core Creek Light 20	LT EXT	11541	0293FM	32/04
38400	Core Creek Range Front Light	TRLB	11545	0116FM	12/03
38407	Core Creek Light 24	TRLB	11541	NONEFM	33/04
39545	New River/Cape Fear River Light 98	TRLB	11541	0249FM	27/04
39880	New River/Cape Fear River Light 177	TRLB	11534	0246FM	27/04
39910	Cape Fear Channel Lighted Buoy 30	TRLB	11537	NONEFM	04/04
40175	Lockwoods Folly River Daybeacon 10	TRUB	11534	0310FM	33/04
40330	Cape Fear Little River Light 78	TRLB	11534	0310FM	33/04
40350	Cape Fear Little River Light 83	TRLB	11534	0310FM	33/04
40365	Cape Fear Little River Daybeacon 87	TRUB	11534	0310FM	34/04
40385	Cape Fear Little River Light 93	HAZ NAV/DBN DMGD	11534	0310FM	33/04

FEDERAL AIDS DISCREPANCIES CORRECTED Since LNM 34/04.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
1073	Oyster Creek Channel Buoy 35	RESET ON STATION	12323	0318AC	35/04
1660	Cape May Canal West Entrance Approach Lighted Buoy 5	RELIGHTED	12214	0296AC	33/04
3865	Beverly Lower Range Front Light	RELIGHTED	12314	0284PH	34/04
3930	Upper Delaware River Channel Lighted Buoy 40	RELIGHTED	12314	0296PH	35/04
5415	Chincoteague Bay Channel Light 3	REBUILT/RECOVERED	12211	0074ES	15/04
5425	Chincoteague Bay Channel Daybeacon 6	REBUILT/RECOVERED	12211	0040ES	07/04
5440	Chincoteague Bay Daybeacon 10	REBUILT/RECOVERED	12211	0076ES	15/04
5450	Chincoteague Bay Channel Daybeacon 14	REBUILT/RECOVERED	12211	0045ES	09/04
5470	Greenbackville Light 5	RELIGHTED	12211	0135ES	34/04
5475	Chincoteague Bay Daybeacon 16	REBUILT/RECOVERED	12211	0045ES	09/04
6570	Virginia Inside Passage Daybeacon 263	RESET ON STATION	12221	0406HR	35/04
7070	Chesapeake Channel Lighted Buoy 7	RELIGHTED	12221	0407HR	35/04
7265	Chesapeake Channel Lighted Buoy 41	WATCHING PROPERLY	12221	0401HR	34/04
8255	Fort McHenry Channel Lighted Buoy 7	WATCHING PROPERLY	12278	0702BA	34/04
8990	Elk River Channel North Range Front Light	RELIGHTED	12273	0711BA	35/04
8991	Elk River Channel North Range Passing Light	RELIGHTED	12277	0711BA	35/04
9310	Thimble Shoal Light	WATCHING PROPERLY	12221	0402HR	34/04
10495	Little Creek Harbor Range Front Light	RELIGHTED	12256	0408HR	35/04
11017	Nansemond River Channel Light 2	RELIGHTED	12248	0409HR	35/04
12820	Horseshoe Crossing Lighted Whistle Buoy HC	RELIGHTED	12221	0399HR	34/04

15095	Locklies Creek Light 1	RELIGHTED	12237	0404HR	34/04
18410	Mount Vernon Cut Buoy 3	RESET ON STATION	12285	0701BA	34/04
18675.1	Four Mile Run Buoy WR 6A	RESET ON STATION	12289	0708BA	35/04
22550	Pocomoke River Channel Buoy 11	RESET ON STATION	12228	0706BA	35/04
24140	Nanticoke River Light 32	RELIGHTED	12261	0705BA	34/04
24695	Brooks Creek Daybeacon 2	REBUILT/RECOVERED	12266	0407BA	15/04
25200	Choptank River Channel Daybeacon 47	REBUILT/RECOVERED	12268	0502BA	22/04
25555	Balls Creek Daybeacon 4	REBUILT/RECOVERED	12263	0425BA	16/04
26870	Swan Creek Entrance Light 6	REBUILT/RECOVERED	12272	0648BA	30/04
28067	Oregon Inlet Buoy 20	RESET ON STATION	12205	0161CH	34/04
30050	Banks Channel Light 1	WATCHING PROPERLY	11541	0310FM	33/04
30075	Banks Channel Light 6	WATCHING PROPERLY	11541	0310FM	33/04
30140	New River/Cape Fear River Junction Light BC	RELIGHTED	11541	0310FM	33/04
30250	Wrightsville Channel Daybeacon 24	WATCHING PROPERLY	11541	0310FM	33/04
30255	Wrightsville Channel Daybeacon 25	WATCHING PROPERLY	11541	0310FM	33/04
30415	Oak Island Channel Light 1	WATCHING PROPERLY	11534	0310FM	33/04
30670	Cape Fear River Channel Lighted Buoy 31	RELIGHTED	11534	0318FM	34/04
31027	Lockwoods Folly Inlet Buoy 5	RESET ON STATION	11534	0310FM	33/04
31030	Lockwoods Folly Inlet Buoy 6	RESET ON STATION	11536	0310FM	33/04
31040	Lockwoods Folly Inlet Buoy 8	RESET ON STATION	11536	0310FM	33/04
31047	Lockwoods Folly Inlet Buoy 12	RESET ONSTATION	11534	0310FM	33/04
31965	Roanoke Island West Side Light 4	RELIGHTED	12205	0164CH	35/04
32130	Far Creek Channel Light 10	REBUILT/REMAINS	11548	0151CH	32/04
36165	New Jersey Intracoastal Waterway Light 310	RELIGHTED	12316	0317AC	34/04
38295	Adams Creek Buoy 2	RESET ON STATION	11541	0317FM	34/04
39465	New River/ Cape Fear River Light 71	WATCHING PROPERLY	11542	0310FM	33/04
39520	New River/Cape Fear River Junction Light BC	RELIGHTED	11541	0310FM	33/04
39560	New River/Cape Fear River Light 103	WATCHING PROPERLY	11541	0310FM	33/04
39625	New River/Cape Fear River Light 128	WATCHING PROPERLY	11541	0310FM	33/04
39660	New River/ Cape Fear River Daybeacon 138	WATCHING PROPERLY	11541	0310FM	33/04
39685	New River/Cape Fear River Light 145	WATCHING PROPERLY	11534	0310FM	33/04
39755	New River/Cape Fear River Light 161	WATCHING PROPERLY	11534	0310FM	33/04
39905	Cape Fear River Channel Lighted Buoy 31	RELIGHTED	11534	0318FM	34/04
40070	Cape Fear Little River Daybeacon 9	WATCHING PROPERLY	11537	0310FM	33/04

PRIVATE AIDS DISCREPANCIES As of 0800 a.m. 31 August 2004.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
575	NAVAIR COMBAT MANEUVRNG RANGE TWR LT	LT EXT	12200	0175D5	17/04
1145	Marshelder Channel Buoy 2	MISSING	12316	0449AC	50/03
2119.19	Herring Creek Daybeacon 19	DBN DEST	12216	0140ES	34/03
2775	Bulkhead Shoal Channel Lighted Buoy 2	MISSING	12331	0265PH	32/04
4880	Thorofare Channel Buoy 4	MISSING	12211	0117ES	29/03
4905	Thorofare Channel Buoy 12	OFF STA	12211	0110ES	47/00
4915	Thorofare Channel Buoy 15	MISSING	12221	0031ES	20/02
4920	Thorofare Channel Buoy 16	MISSING	12211	0032ES	20/02
5457	Greenbackville SAV Sanctuary Daybeacon A	MISSING	12211	0040ES	07/04
5457.1	Greenbackville SAV Sanctuary Daybeacon B	MISSING	12211	0040ES	07/04
9730	Elizabeth River Deperming Range Obstruction Light	DBN DMGD	12253	0566HR	40/03
10186.5	Lynnhaven River Daybeacon 3LR	TR_UB	12222	0147HR	18/02
10225	Lynnhaven River-Western Branch Daybeacon 10	TR_UB	12254	0271HR	24/04
10335	Long Creek Channel Daybeacon 2 LE	DBN DEST	12254	0033HR	04/03
12616	Weanack Channel Entrance Lighted Buoy 2WC	LT EXT	12252	0332HR	29/04
13070	Harris River Approach Daybeacon 8	DBN DMGD	12238	0226HR	19/04
13575	Virginia Power Underwater Obstruction Light A	LT EXT	12238	0266HR	23/04
15980	Delco Moraine Lighted Obstruction Buoy	MISSING	12237	0523HR	45/01
16845	Mill Creek Daybeacon 2	DBN DMGD	12233	0142BA	05/01
17845	Nanjemoy Creek Daybeacon 5	DBN DEST	12288	0205BA	07/04
18012.5	Aquia Creek Daybeacon 18	MISSING	12285	0197BA	26/02
18430	Little Hunting Creek Lighted Buoy 4	OFF STA	12289	0366BA	18/03
18850	Buzz's Marina Channel Daybeacon 6	DBN DEST	12233	0296BA	12/03
18860	N.A.S. Paxtuxent River Basin Entrance Light 2	DBN DMGD	12233	0337BA	24/01
18865	N.A.S. Patuxent River Basin Entrance Light 1	DBN DMGD	12233	0338BA	24/01
20210	Forked River Daybeacon 2	DBN DMGD	12282	0594BA	39/03
20235	Blackhole Creek Light 2	DBN DMGD	12282	0594BA	39/03
20360	Patapsco River 1/2 Measured Mile Marker Buoy A	OFF STA	12281	0572BA	25/04
20430	Pennwood Channel Range Front Light	LT EXT	12278	0581BA	26/04
20435	Pennwood Channel Range Rear Light	LT IMCH	12278	0422BA	16/04
20545	Sparrow Pt. Steel Work Ch. Range Front Light	LT EXT	12278	0302BA	36/02
20705	Sollers Point Daybeacon 1	LT EXT	12281	0732BA	52/03
20760	HAW Generating Plant Channel Buoy 7	BUOYSINK	12278	0594BA	39/03
20805	Hawkins Point Pier Buoy 2	OFF STA	12278	0103BA	18/02
21425	Kiptopeke Beach Breakwater North Light B	LT EXT	12221	0676D5	49/01
22415	POCOMKE SND ST BNDRY LINE DBN E	BUOYSINK/BUOYDMGD	12228	0220BA	07/04

22420	POCOMKE SND ST BNDRY LINE DBN F	MISSING	12228	0292BA	09/04
22435	POCOMKE SND ST BNDRY LINE DBN J	MISSING	12228	0293BA	09/04
23575	Dorchester/Somerset County Line Marker AA	DBN DEST	12231	0322BA	10/04
23665	Dorchester/Somerset County Line Marker CC	DBN DEST	12231	0324BA	10/04
24937	UMCES Lighted Buoy CR (Choptank River)	OFF STA/LT EXT	12263	0234BA	07/04
25020	Cambridge Channel Range Front Light	LT EXT	12268	0382BA	46/02
25025	Cambridge Channel Range Rear Light	LT EXT	12268	0383BA	46/02
26270	Cox Creek Daybeacon 4	DBN DEST	12263	0312BA	09/04
26343.3	Greenwood Creek Buoy 4	OFF STA	12270	0411BA	24/03
27275	Upper Gunpowder River Daybeacon 11	DBN IMCH	12273	0704BA	34/04
27900	Upper Elk River Buoy 2	MISSING	12274	0013BA	03/04
27905	Upper Elk River Buoy 4	MISSING	12274	0014BA	03/04
28697	South Ferry Terminal Buoy FD2	BUOYDMGD	11550	0068CH	16/04
30562.3	Sunny Point Terminal Warning Light L	TRLB	11537	0016FM	02/03
33200	Jacobs Creek Canal Daybeacon 1	DBN DMGD	11554	0339FM	34/02
33205	Jacobs Creek Canal Daybeacon 2	DBN DMGD	11554	0340FM	34/02
33427	Swan Point Warning Daybeacon A	MISSING	11548	0088FM	09/03
38570	TRIPLE S. MARINA DAYBEACON 8	DBN DEST	11547	0505FM	51/01
39125	COW CRK CH DBN 1	DBN IMCH	11541	0310FM	33/04

PRIVATE AIDS DISCREPANCIES-CORRECTED Since LNM 34/04.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
None.					

III. TEMPORARY CHANGES/CORRECTIONS This section contains a summary of current temporary changes and corrections to Aids to Navigation. Aids may be temporarily relocated, established or altered for dredging, testing or marking an obstruction or wreck. A permanent correction shall be listed in **Section IV** giving the new position.

TEMPORARY CHANGES

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
975	Barnegat Inlet Buoy 16	RLCTD DUE TO SHLNG	12323	0155AC	17/04
980	Barnegat Inlet Buoy 17	RLCTD DUE TO SHLNG	12324	0193D5	17/04
985	Barnegat Inlet Buoy 18	RLCTD DUE TO SHLNG	12323	0193D5	17/04
995	Barnegat Inlet Buoy 20	RLCTD DUE TO SHLNG	12323	0154AC	17/04
1080	Oyster Creek Channel Buoy 37	RLCTD DUE TO SHLNG	12323	0185D5	17/04
1085	Oyster Creek Channel Buoy 37A	RLCTD DUE TO SHLNG	12324	0185D5	17/04
1115	Little Egg Inlet Buoy 4	RLCTD DUE TO SHLNG	12316	0185AC	20/04
8330	Swan Point Channel North Range Rear Light	DISCONTINUED	12280	0240D5	22/04
9660	Craney Island Anchorage Daybeacon A	DSCNTND FOR DRDGNG	12207	NONED5	14/04
12885.5	Salt Ponds Daybeacon 10	DSCNTND FOR DRDGNG	12280	0369HR	32/04
12890	Salt Ponds Daybeacon 11	DSCNTND FOR DRDGNG	12221	0370HR	32/04
12895	Salt Ponds Daybeacon 12	DSCNTND FOR DRDGNG	12280	0371HR	32/04
21460	Cape Charles City Range B Front Light 8	DISCONTINUED	12224	0174D5	20/04

TEMPORARY CHANGES CORRECTED

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
None.					

IV. CHART CORRECTIONS:

This section contains corrections to federal and private maintained Aids to Navigation, as well as NOS corrections. This section contains corrective actions affecting chart(s). Corrections appear numerically by chart number, and pertain to that chart only. **The mariner must decide which Chart(s) to correct. The following example explains the individual elements of a typical chart correction.**

Chart Number	Chart Edition	Edition Date	Last Local Notice to Mariners	Horizontal Datum Reference	Source of Correction	Current Local Notice to Mariners
11541	33 rd ed.	11/01/2002	LAST LNM 47/02	NAD 83	CGD05/NOS	49/02
NC-PORTSMOUTH ISLAND TO BEAUFORT CHANGE						
South River Light 1 to Daybeacon 1, SG in						
Corrective Action		Object of corrective Action		Position (Degrees, minutes, seconds and tenths)		
				34-59-23.345N 076-35-25.467W		

The letter (M) immediately following the chart number indicates that the correction should be applied to the Metric side of the chart only. (TEMP) Indicates that the chart correction action is temporary in nature. Courses and bearings are given in degrees true, clockwise from 000°. Bearings of light sectors are toward the light from seaward. The nominal range of lights is in nautical miles (NM).

11548	39th ed.	11/01/2003	LAST LNM: 34/04	NAD 83	CGD05	35/04
NC- PAMLICO SOUND- WESTERN PART CHANGE						
			Big Foot Slough Channel Light 14BF range to 4M	in	35-09-30.268N	076-00-50.843W
11552	18th ed.	03/10/2001	LAST LNM: 20/04	NAD 83	CGD05	35/04
NC- NEUSE RIVER AND UPPER PART OF BAY RIVER DELETE						
			Trent River Warning Daybeacon	in	35-04-08.270N	077-04-41.599W
11555	39th ed.	02/01/2004	LAST LNM: 34/04	NAD 83	CGD05	35/04
NC- CAPE HATTERAS: WIMBLE SHOALS TO OCRACOE INLET RELOCATE						
			Hatteras Inlet Lighted Buoy 4	from to	35-10-55.119N 35-10-51.986N	075-45-17.710W 075-45-26.118W
CHANGE						
			Big Foot Slough Channel Light 14BF range to 4M	in	35-09-30.268N	076-00-50.843W
12204	35th ed.	01/01/2003	LAST LNM: 34/04	NAD 83	CGD05	35/04
NC- CURRITUCK BEACH LIGHT TO WIMBLE SHOALS RELOCATE						
			Whale Head Bay Light 2	from to	36-22-20.400N 36-22-18.571N	075-50-09.500W 075-50-10.703W
			Lone Oak Channel Light 1	from to	36-17-38.100N 36-17-36.576N	075-51-27.800W 075-51-28.701W
			Durant Island Daybeacon 1D	from to	36-00-16.300N 36-00-15.582N	075-51-56.400W 075-51-58.671W
			Durant Island Daybeacon 3D	from to	36-00-06.800N 36-00-11.576N	075-55-19.500W 075-55-19.785W
CHANGE/RELOCATE						
			Beasley Bay Light 2 range to 3M, relocate	from to	36-17-17.700N 36-17-12.579N	075-48-41.200W 075-48-28.691W
			Whale Head Bay Light 1 range to 4M, relocate	from to	36-21-53.100N 36-21-54.581N	075-51-00.200W 075-51-04.692W
12205	28th ed.	08/01/2003	LAST LNM: 34/04	NAD 83	CGD05	35/04
VA-NC- CAPE HENRY TO PAMLICO SOUND (including ALBEMARLE SOUND) RELOCATE						
			Whale Head Bay Light 2	from to	36-22-20.400N 36-22-18.571N	075-50-09.500W 075-50-10.703W
			Lone Oak Channel Light 1	from to	36-17-38.100N 36-17-36.576N	075-51-27.800W 075-51-28.701W
			Durant Island Daybeacon 1D	from to	36-00-16.300N 36-00-15.582N	075-51-56.400W 075-51-58.671W
			Durant Island Daybeacon 3D	from to	36-00-06.800N 36-00-11.576N	075-55-19.500W 075-55-19.785W
CHANGE/RELOCATE						
			Whale Head Bay Light 1 range to 4M, relocate	from to	36-21-53.100N 36-21-54.581N	075-51-00.200W 075-51-04.692W
			Beasley Bay Light 2 range to 3M, relocate	from to	36-17-17.700N 36-17-12.579N	075-48-41.200W 075-48-28.691W
12206	30th ed.	10/01/2003	LAST LNM: 33/04	NAD 83	CGD05	35/04
VA-NC- NORFOLK TO ALBEMARLE SOUND RELOCATE						
			Pasquotank River Light 3	from to	36-12-10.260N 36-12-06.571N	076-04-04.590W 076-03-58.731W
			Pasquotank River Light 4	from to	36-13-57.260N 36-13-54.570N	076-05-18.080W 076-05-22.737W
			Pasquotank River Light 5A	from to	36-16-02.750N 36-16-00.567N	076-09-06.410W 076-09-04.749W
			Pasquotank River Daybeacon 11	from to	36-20-38.010N 36-20-36.560N	076-13-01.540W 076-12-58.762W
			Pasquotank River Daybeacon 15	from to	36-21-17.940N 36-21-18.559N	076-13-35.890W 076-13-40.764W
			Pasquotank River Daybeacon 18	from to	36-21-46.030N 36-21-42.559N	076-13-47.280W 076-13-46.765W
			Pasquotank River Daybeacon 19	from to	36-22-18.510N 36-22-00.559N	076-13-53.350W 076-13-52.765W
			Coast Guard Base Light 2	from to	36-16-16.540N 36-16-15.066N	076-10-39.490W 076-10-40.253W
12207	21st ed.	02/01/2004	LAST LNM: 33/04	NAD 83	CGD05	35/04

VA-NC- CAPE HENRY TO CURRITUCK BEACH LIGHT
RELOCATE

	Whale Head Bay Light 2	from to	36-22-20.400N 36-22-18.571N	075-50-09.500W 075-50-10.703W
12225	55th ed. 08/01/2004 LAST LNM: 33/04 VA-CHESAPEAKE BAY: WOLF TRAP TO SMITH POINT CHANGE	NAD 83	CGD05	35/04
	Queens Creek Warning Daybeacon to Warning Daybeacon B, NW	in	37-29-22.574N	076-19-18.284W
12235	30th ed. 03/01/2004 LAST LNM: 33/04 VA -CHESAPEAKE BAY: RAPPAHANNOCK RIVER ENTRANCE (PIANKATANK & GREAT WICOMICO RIVER) CHANGE	NAD 83	CGD05	35/04
	Queens Creek Daybeacon 2A to Warning Daybeacon A, NW	in	37-29-18.908N	076-19-21.746W
	Queens Creek Warning Daybeacon to Warning Daybeacon B, NW	in	37-29-22.574N	076-19-18.284W
ADD	Queens Creek Channel Buoy 2A, red nun	in	37-29-19.254N	076-19-20.958W
12266	28th ed. 10/01/2003 LAST LNM: 20/04 MD- CHESAPEAKE BAY: CHOPTANK RIVER AND HERRING BAY CHANGE	NAD 83	CGD05	35/04
	Tred Avon River Light 10 range to 4M	in	38-43-07.705N	076-08-40.216W
12268	10th ed. 03/23/2002 LAST LNM: 20/04 CHOPTANK RIVER: CAMBRIDGE TO GREENSBORO CHANGE	NAD 83	CGD05	35/04
	Choptank River Channel Light 34 range to 4M	in	38-36-04.724N	075-59-03.762W
12316	31st ed. 05/01/2004 LAST LNM: 31/04 NJ-IWWW-LITTLE EGG HARBOR TO CAPE MAY RELOCATE	NAD 83	CGD05	35/04
	New Jersey Intracoastal Waterway Daybeacon 265	from to	39-16-37.976N 39-16-34.331N	074-36-02.672W 074-36-11.799W
ADD	New Jersey Intracoastal Waterway Buoy 263, green can	in	39-16-47.885N	074-35-59.260W
	New Jersey Intracoastal Waterway Buoy 263A, green can	in	39-16-38.585N	074-36-10.930W
	New Jersey Intracoastal Waterway Buoy 264A, red nun	in	39-16-25.925N	074-36-13.030W

A weekly electronic update service is now available for NOAA's digital, raster nautical charts. All Notice to Mariner corrections from USCG, NGA and CHS are included. The service is provided via a partnership between NOAA and Maptech, Inc. Further information is available from NOAA at (301)-713-2770, <http://chartmaker.ncd.noaa.gov> or from Maptech at (978)-933-3000, <http://www.maptech.com>.

V. ADVANCE NOTICES: This section contains advance notice of approved projects, changes to aids to navigation, bridge regulations or upcoming temporary changes such as dredging, etc. Mariners are advised to use caution while transiting these areas. Comments on this change should be forwarded to the **Commander Fifth Coast Guard District (oan), 431 Crawford Street, Portsmouth, VA 23703-5004**

VA – VIRGINIA INSIDE PASSAGE – AIDS TO NAVIGATION CHANGE.

The Coast Guard will be discontinuing Ramshorn Channel Light 2 (LLNR 6960) and changing Virginia Inside Passage Daybeacon 215 (LLNR 6355) to Virginia Inside Passage Light 215 (LLNR 6355) showing a FI G 4s. Lighting equipment will be removed when endangered by ice. **Charts: 12221 & 12224.**

DC – POTOMAC RIVER - ANACOSTIA RIVER - NEW DRAWBRIDGE REGULATIONS

Effective on **September 7, 2004**, the U.S. Coast Guard is changing the regulations governing the operation of the CSX Transportation (CSX) Rail (vertical-lift) Bridge across Anacostia River, at mile 3.4, in Washington DC. CSX, who owns and operates this drawbridge, requested changes to the operating procedures for the drawbridge. This final rule would eliminate the need for a bridge tender by allowing the bridge to be operated from a remote location. This change would maintain the bridge's current level of operational capabilities and continue providing for the reasonable needs of rail transportation and vessel navigation. Copies of **PUBLIC NOTICE 5-1021** which describe the change in detail can be obtained by writing to the above address or by calling (757) 398-6222. **Chart 12289**

VI. PROPOSED CHANGES: Periodically the Coast Guard evaluates the system of Aids To Navigation and bridge regulations to determine whether the conditions for which the aids were established have changed. All comments should include the following information: 1) Quantity, type, capacity and value of vessels involved, and the extent that these vessels traverse the area under consideration seasonally, by day, and by night. 2) where practicable, the type of navigation devices, such as compasses, radio direction finders, radar, LORAN, DGPS, and search lights, with which such vessels are equipped. 3) The number of passengers and type, quantity, and value of cargo involved. 4) A chart section or sketch showing the action proposed

when necessary to clearly describe the recommended improvement. Written comments on this proposal should be forwarded to: **COMMANDER, FIFTH COAST GUARD DISTRICT (OAN) 431 Crawford Street, Portsmouth, VA 23704-5004**, unless otherwise noted.

MD – UPPER CHESAPEAKE BAY – DISCONTINUE TOLCHESTER DIRECTIONAL LIGHT (LLNR 8525)

The Coast Guard is soliciting for comments on discontinuing Tolchester Directional Light (LLNR 8525). Comments concerning this proposal may be sent to the above address attention Mr. Al Grimes, not later than **30 September, 2004**. Charts: 12272, 12273 & 12278.

VA – LOWER CHESAPEAKE BAY – CHERRYSTONE CHANNEL – AIDS TO NAVIGATION CHANGES

The Coast Guard is soliciting for comments on the following changes to the aids to navigation for the Cherrystone Channel:

Rename Cherrystone Channel Light 2 (LLNR 21430) to Cherrystone Channel Light 2C (LLNR 21430).

Rename/ renumber Kings Creek Light 1 (LLNR 21520) to Cherrystone Channel Light 3C (LLNR 21520).

Rename/ renumber and change flash characteristic of Kings Creek Junction Light KC (LLNR 21525) to Cherrystone Channel Light 4C (LLNR 21525) flashing red 6 seconds. Comments concerning this proposal may be sent to the above address attention Mr. Al Grimes, not later than **27 September, 2004**. Chart: 12224.

BRIDGE PROPOSALS

NJ - MANASQUAN INLET – MANASQUAN RIVER – TEMPORARY DEVIATION FOR ROUTE 70 BRIDGE

The U.S. Coast Guard has issued an extension of a temporary deviation to test an alternate drawbridge regulation for the Route 70 Bridge, mile 3.4, across Manasquan River, at Riviera Beach, New Jersey. Under this temporary 90-day deviation, effective **August 2, 2004, through October 31, 2004**, the Route 70 Bridge will open on signal on the hour, except that from 5 p.m. to 7 p.m., Monday through Friday and from 11 p.m. to 7 a.m. the draw need not be opened. The purpose of this temporary deviation is to test an alternate drawbridge operation schedule for 90 days and solicit comments from the public. Comments on this test deviation should be forwarded to the above address attention (obr) no later than **November 5, 2004**. Copies of **PUBLIC NOTICE 5-1022** which describes the test deviation in detail can be obtained by writing to the above address or by calling (757) 398-6222. Chart 12324.

VA – CHESAPEAKE BAY – RAPPAHANNOCK RIVER – CAT POINT CREEK - PROPOSED BRIDGE

The U.S. Coast Guard has received an application for a bridge permit from the Virginia Department of Transportation. The applicant proposes to construct a new low-level fixed bridge at a location 0.5 miles North of Intersection Route 624, 6.5 miles above the mouth of Cat Point Creek a tributary of the Rappahanock River in Warsaw, Virginia. The proposed vertical and horizontal clearances of the bridge would be 6 feet at mean high water and 50 feet, respectively. Comments on this proposal should be forward to the above address attention (obr) no later than **September 20, 2004**. Copies of the **PRELIMINARY PUBLIC NOTICE 5-1019** which describe the proposal in detail can be obtained by writing to the above address or by calling (757) 398-6629. Chart 12237

VA – ATLANTIC INTRACOASTAL WATERWAY (AIWW), SOUTHERN BRANCH OF THE ELIZABETH RIVER TO THE ALBERMARLE AND CHESAPEAKE CANAL – CHANGE IN REGULATION

The U.S. Coast Guard proposes to change the regulations that govern the operation of the Norfolk Southern #7 Railroad Bridge across the Southern Branch of the Elizabeth River, at AIWW mile 5.8, in Chesapeake, VA. The Norfolk Southern Corporation, who owns and operates this drawbridge, requested changes to the operating procedures for the drawbridge. This proposed rule would increase vessel openings and eliminate the need for a bridge tender by allowing the bridge to be operated from a remote location. This proposed change would provide for the reasonable needs of navigation. Comments on this proposal should be forwarded to the above address attention (obr) no later than **October 26, 2004**. Copies of **PUBLIC NOTICE 5-1024** which describe the change in detail can be obtained by writing to the above address or by calling (757) 398-6422. Chart 12253

NC – CAPE FEAR RIVER – NORTHEAST CAPE FEAR RIVER - BRIDGE INFORMATION

The U.S. Coast Guard is proposing to change the regulations governing the operation of the CSX Railroad Bridge (Hilton Drawbridge) across the Northeast Cape Fear River, mile 1.5, in Wilmington, North Carolina. CSX owns and operates the Hilton Drawbridge and proposes changes to the regulation that would eliminate the tender and allow them to remotely operate the bridge. It is also proposed that the bridge will remain open for mariners and only be closed for passing trains. This proposed change would maintain the bridge's current level of operational capabilities and provide for the reasonable needs of rail transportation and vessel navigation. Comments on this proposal should be forwarded to Commander (obr), Fifth Coast Guard District, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704-5004 no later than **04 October, 2004**. Copies of **PUBLIC NOTICE 5-1020**, which describes the proposal in detail can be obtained by writing to the above address or by calling (757) 398-6222. Chart 11537.

VII. GENERAL This section contains information of general concern to the mariner. Mariners are advised to use caution while transiting these areas.

The following is a list of dredging/construction operations being conducted in the Fifth Coast Guard District. Mariners should be aware that the dredge and pontoon lines are held in place by cables, which are attached to anchors some distance from the dredge and pontoons. Buoys are attached to the anchors so that they may be moved as the dredge advances. Mariners are advised that aids to navigation may be temporarily relocated to facilitate dredging. The dredge and related equipment will be lighted and marked in accordance with International or Inland Navigation Rules and the dredge will monitor Channels 13 and 16 VHF-FM unless otherwise noted. Dredge operations are usually conducted 7 days a week, 24 hours a day. Mariners are cautioned to strictly comply with Inland Navigation Rules when approaching, passing and leaving the area of operation, to remain a safe distance from the equipment, and to contact the dredge for specific transiting information. Owners and lessees of fishnets, crabpots and other structures that may be in the vicinity and that may hinder the free navigation of attending vessels and equipment must remove these from the area where tugs, tender boats and other equipment will be navigating prior to the commencement of the dredging operations.

CONSTRUCTION/DREDGING LOCAL NOTICE TO MARINERS NOTIFICATION DEADLINES

Construction and dredging companies should notify **Commander, Fifth Coast Guard District (oan), 431 Crawford Street, Portsmouth, VA 23704-5004** at **least 3 weeks prior to operation** begin date for information to be published in the **Local Notice to Mariners**. It is requested that notification be delivered by letter or fax and followed up by telephone. Fax # (757) 398-6303 and voice Phone # (757) 398-6486 or at the D5LOCAL INTERNET SITE.

LOCATION	START/COMPLETION DATE	DREDGE/ COMPANY	REF LNM
DE – Roosevelt Inlet – Lewes Beach – Dredging	26 Aug – 26 Oct 2004	MARION	35/04

MD – Baltimore Harbor – Dredging	Until further notice	WEEKS MARINE	23/03
NJ – Cape May to Oyster Creek – Dredging	10 May – 30 Sep 2004	MIKE THOMAS	18/04
VA – York River – York River Refinery - Dredging	18 Aug – 30 Oct 2004	DREDGE DB-2400	32/04
VA – James River – James Island – Dredging	13 Aug – 30 Sep 2004	TANGIER	32/04
VA – Southern Branch – Elizabeth River – Dredging	14 Aug – 03 Sep 2004	VIRGINIAN	32/04
VA – Elizabeth River – Craney Island Reach – Dredging	04 Jun – 04 Jan 2005	DREDGE 312	22/04
VA – Rudee Inlet – Dredging	Until Further Notice	RUDEE II	
VA – James River –Skiffes Creek– Dredging	01 July – 30 Sep 2004	ENTERPRISE	03/04
VA – Coastal – Rudee Inlet – Dredging	Until Further Notice	RUDEE II	18/04
VA – Elizabeth River – Western Branch – Bridge demolition/ Construction	Apr 2002 – Dec 2004	Tidewater Construction	16/02
NC – Northeast Cape Fear River/Smith Creek Parkway – Bridge Construction	01 Jun – 31 Jan 2005	TIDEWATER CONSTR	19/03
NC – Oregon Inlet – Dredging	01 Sep – 05 Nov 2004	BEACHBUILDER	35/04
NC – AICWW – New River Jacksonville – Dredging	12 Aug – 19 Sep 2004	RICHMOND	33/04

INFORMATION CONCERNING BRIDGES ACROSS NAVIGABLE WATERS OF THE FIFTH COAST GUARD DISTRICT

The following is a list of operating information for certain bridges within the Fifth Coast Guard District. Mariners are advised that the bridges may be operating on a temporary schedule, with reduced clearances, undergoing bridge repairs or under new bridge construction. Mariners are advised to proceed with caution, comply with Inland Navigation Rules at all bridges and to contact the bridge on channels 13 and 16 VHF-FM. For more information refer to the referenced **Local Notice To Mariner** or contact the **Commander, Fifth Coast Guard District (oan-b), 431 Crawford Street, Portsmouth, VA, 23704-5004** via written correspondence, by voice phone at (757) 398-6222., or at the LANTAREA Office Aids to Navigation INTERNET SITE.

BRIDGE	TYPE	WATERWAY	MILE	SUBJECT	COMP. DATE	LNM
Christina River Bridge	F	Delaware River	5.5	Bridge repairs	Until further notice	42/02
Ben Franklin Bridge		Delaware River	100.2	Painting/sandblasting	Until further notice	47/03
Third Street Bridge	B	Delaware/Christina River	2.3	Bridge repair	Until further notice	19/01
Woodrow Wilson Bridge	B	Potomac River	103.8	Bridge Replacement	Until further notice	20/01
Route 50 Hwy Bridge		Choptank River	15.6	Cleaning/Painting	05 February 2005	32/04
Choptank River Bridge		Choptank River	51.2	Painting	30 September 2004	28/04
Route 13 Bridge Pocomoke MD		Pocomoke River	15.8	Cleaning/Painting	31 October 2004	32/04
SR 123 Occoquan River		Occoquan River	5.0	Bridge construction	30 May 2005	43/03
Jones Creek		James River		Bridge Replacement	Until further notice	35/03
Weems/College Creek bridge		Weems and College Creek		Bridge Construction	Until further notice	16/04
Virginia Rt. 33/Lord Delaware Bridge.		Mattaponi River		Bridge Construction	Until further notice.	17/04

KEY: F=Fixed, DR=Draw, RIV=River, CH=Channel, HBR=Harbor, AICWW=Atlantic Intracoastal Waterway, B=Bascule, E=East(Eastern), W=West(Western), S=South(Southern), N=North(Northern), SW=Swing Bridge, SYS=System, RR=Railroad, Sked=Schedule, Constr=Construction, Rest=Restricted, SR=State Route, RSP=Removable Span, VL=Vertical Lift

SUMMARY OF GENERAL ARTICLES IN EFFECT FOR THE WATERS OF THE FIFTH COAST GUARD DISTRICT

DE – ROOSEVELT INLET – LEWES BEACH – DREDGING

The dredge MARION is conducting dredging operations in the vicinity of Roosevelt Inlet Lewes Beach, Delaware. The dredging operations will be completed by **October 26, 2004**. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under **General Articles VII**. Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Chart 12216**.

LNM 34/04

MD – CHESTER RIVER – ESTABLISHMENT OF MOORING BUOY

Maryland Department of Natural Resources Tidewater Ecosystem Assessment, D-2, has established Blunts Reserve Mooring Buoy in position 38 59 34.7 N – 76 11 46.2W in association with the deployment of a vertical profiling water quality monitor in the area of Blunts Bar Oyster Sanctuary in the Chester River. POC is Chris Heyer 410-260-8692. **Chart: 12272**

LNM 35/04

MD– CHESAPEAKE BAY – CHOPTANK RIVER - BRIDGE INFORMATION

Mariners are advised to take caution when approaching the Route 50 Highway Bridge on the Choptank River, Mile 15.6, in Cambridge, Maryland. Barges will be in the waterway cleaning and painting the bridge from **September 1, 2004** through **February 5, 2005**. The channel shall remain open for the passage of vessels. **Chart 12266**.

LNM 32/04

MD – CHESAPEAKE BAY – CHOPTANK RIVER - BRIDGE INFORMATION

Mariners are advised to take caution when approaching the Choptank River Bridge, Mile 51.2, at Denton, Maryland. A painting project will be conducted from **July 1** through **September 30, 2004**. The channel will remain open during this project. **Chart 12266**

LNM 28/04

MD – CHESAPEAKE BAY – POCOMOKE RIVER - BRIDGE INFORMATION

Mariners are advised to take caution when approaching U.S. Route 13 Highway Bridge over the Pocomoke River, Mile 15.8, in Pocomoke, Maryland. The bridge will be cleaned and painted between **August 19** and **October 31, 2004**. Barges will not be used and the channel shall remain open/unrestricted for the passage of vessels, except during the first two weeks of October when suspended rigging will reduce the vertical clearance by three feet. **Chart 12230**.

LNM 32/04

VA –RAPPAHANNOCK RIVER - HOSKINS CREEK - DREDGING

The MARION will be conducting dredging operations in Hoskins Creek, Essex County from **23 August, 2004** through **20 September, 2004**. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires

and review comments concerning dredging operations under **General Articles VII** . Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Chart 12237**.

LNM 34/04

VA – CHESAPEAKE BAY –YORK RIVER –GIANT INDUSTRIES YORK RIVER REFINERY - DREDGING

The bucket dredge DB-2400 will be conducting dredging operations at the York River Refinery from **18 August, 2004** through **30 October, 2004**. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under **General Articles VII** . Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Chart 12241**.

LNM 32/04

VA –ELIZABETH RIVER – CRANEY ISLAND REACH – DREDGING - UPDATE

The Weeks Marine Dredge R.S.WEEKS will replace Dredge 312 conducting dredging operations in the Elizabeth River, Craney Island Reach in the vicinity of the Portsmouth Coast Guard Base from **04 June, 2004** through **04 January, 2005**. Dredge material will be pumped to the Craney Island Disposal Area through a combination of pontoon line and submerged pipeline. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under General Articles VII. Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Chart 12245**.

LNM 33/04

NC – OREGON INLET – DREDGING

The Weeks Marine dredge BEACHBUILDER will be conducting dredging operations in Oregon Inlet, east of the Bonner Bridge from **01 September, 2004** through **05 November, 2004**. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under **General Articles VII**. Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Chart 12205**.

LNM 35/04

NC – ATLANTIC INTRACOASTAL WATERWAY – NEW RIVER – DREDGING

The dredge RICHMOND is conducting dredging operations in the vicinity of New River, Jacksonville North Carolina from **12 August 2004** through **19 September 2004**. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under **General Articles VII**. Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Chart 11542**.

LNM 31/04

VIII. LIGHT LIST CORRECTIONS FOR COMDTPUBP16502.2 VOLUME II, 2004 EDITION.

An asterisk*, indicates the column in which a correction has been made or new information added

LLNR	(2) Name and Location	(3) N/W Position	(4) Characteristic	(5) Ht	(6) Rng	(7) Structure	(8) Remarks	(9) LNM
14823	- Warning Daybeacon A	37 29 19 N 76 19 22 W				NW on pile worded DANGER SHOAL.		35/04
*	*	*	*	*	*	*	*	
14825	- Buoy 2A	*				Red nun.	*	35/04
14830	- Warning Daybeacon B	37 29 23 N 76 19 18 W				NW on pile worded DANGER SUBMERGED JETTY.		35/04
	*							
25140	- CHANNEL LIGHT 34		FI R 4s	15	4	TR on pile.	Light equipment removed from Dec. 1 to Mar. 15.	35/04
					*			
25455	- LIGHT 10		FI R 2.5s	15 *	4 *	TR on pile.		35/04
29087	- LIGHT 14BF		FI R 4s	15	4	TR on multi-pile structure.		35/04
					*			
29120	- LIGHT 9		FI G 2.5s	17	4	SG on pile.	*	35/04

31170	WHALE HEAD BAY LIGHT 1	36 21 55 N 75 51 05 W *	FI G 4s	15	4 *	SG on multi-pile structure.	35/04
31235	BEASLEY BAY LIGHT 2	36 17 13 N 75 48 29 W	FI R 4s	15	3 *	TR on multi-pile structure.	35/04
31360	Durant Island Daybeacon 1D	36 00 16 N 75 51 59 W *				SG on pile.	35/04
34265	- Warning Daybeacon					Remove from list. *	35/04
36007 *	- Buoy 263 *	* *	* *	* *	* *	Green can with yellow square. *	35/04
36009 *	- Buoy 263A *	* *	* *	* *	* *	Green can with yellow square. *	35/04
36011 *	- Buoy 264A *	* *	* *	* *	* *	Red nun with yellow triangle. *	35/04

ENCLOSURES

1. **Change No. 11** to U.S. Coast Pilot 3, Atlantic Coast: Sandy Hook to Cape Henry 2004, (37th) Edition
[HTTP://nauticalcharts.noaa.gov/nsd/cpdownload.htm](http://nauticalcharts.noaa.gov/nsd/cpdownload.htm)
2. **Change No. 12** to U.S. Coast Pilot 3, Atlantic Coast: Sandy Hook to Cape Henry 2004, (37th) Edition
[HTTP://nauticalcharts.noaa.gov/nsd/cpdownload.htm](http://nauticalcharts.noaa.gov/nsd/cpdownload.htm)
3. **Public Notice 5-1018 Wetipquin Creek, at mile 0.8, in Wicomico County, Maryland.**

All interested parties are notified that the Commander Fifth Coast Guard District has received an application from the Wicomico County Public Works Department for the replacement of the Wetipquin Road Bridge over Wetipquin Creek a navigable waterway of the United States.

WATERWAY AND LOCATION: Wetipquin Creek, at mile 0.8, in Wicomico County, Maryland.

CHARACTER OF WORK: A new two-lane low level fixed bridge is proposed with the same clearances as the existing bridge. The existing bridge will be demolished.

NAVIGATIONAL CLEARANCES: The proposed navigational clearances for the new Wetipquin Creek fixed bridge are the same as the existing bridge: vertical clearances are 8 feet at mean low water and 6 feet at mean high water, with a horizontal clearance of 14 feet.

ENVIRONMENTAL CONSIDERATIONS: The Federal Highway Administration (FHWA) is the lead federal agency for this project. The FHWA has determined this project to be classified as a Categorical Exclusion (CE), which has been independently evaluated by the FHWA and determined to adequately accurately discuss the environmental issues and impacts on the proposed project. All significant environmental comments received as a result of the early coordination process, the public hearing and the public notification process have been considered. This CE provided sufficient analysis for determining that an Environmental Impact Statement and/or an Environmental Assessment are not required. The FHWA takes full responsibility for the accuracy, scope, and content of the CE.

WETLANDS: Wetland delineation was performed along the new bridge alignment points; data points were established to delineate and characterize the tidal wetlands located within the project limits. All the wetlands identified are tidally influenced.

ENDANGERED/THREATENED SPECIES: There are no endangered or threatened species within the project area.

HISTORIC PROPERTIES: In accordance with Section 106 of the National Historic Preservation Act of 1966 as amended, within the area there are no Historic Properties affected by this project.

ENVIRONMENTAL JUSTICE: Based upon environmental documentation submitted for this project, it appears that the proposed bridge project will have no adverse environmental justice

impacts upon minority and low-income populations. Information and data contrary to this no-adverse-impact position should be submitted in response to this notice.

SOLICITATION OF COMMENTS:

Interested parties are requested to express their views, in writing, on the construction of the proposed bridge giving sufficient detail to establish a clear understanding of their reasons for support of or opposition to the proposed work. Comments will be received for the record at the office of the Commander (obr), Fifth Coast Guard District, Federal Building, 431 Crawford Street, Portsmouth, VA 23704-5004 through Aug 31 2004.

WAVERLY W. GREGORY, JR.
Chief, Bridge Administration Branch
By direction of the Commander
Fifth Coast Guard District

4. Special Regulations for Marine Events; Delaware River, Philadelphia, PA

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is implementing the special local regulations at 33 CFR 100.509 during the Labor Day Fireworks Show to be held **September 6, 2004** on the Delaware River at Philadelphia, Pennsylvania. These special local regulations are necessary to provide for the safety of life on navigable waters before, during and after the event. The effect will be to restrict general navigation in the regulated area for the safety of spectators and support vessels in the event area.

EFFECTIVE DATES: 33 CFR 100.509 is effective from 7:30 p.m. to 9 p.m. EDT on **September 6, 2004**.

FOR FURTHER INFORMATION CONTACT: Fernando Serrano, Marine Information Specialist, Commander, Coast Guard Group Philadelphia, 1 Washington Avenue, Philadelphia, Pennsylvania 19147, (215) 271-4944.

SUPPLEMENTARY INFORMATION: The Penn's Landing Corporation will sponsor the "Labor Day Fireworks Show" on **September 6, 2004** on the Delaware River, adjacent to Penns Landing, Philadelphia, Pennsylvania. In order to ensure the safety of participants, spectators and transiting vessels, 33 CFR 100.509 will be in effect for the duration of the event. The special local regulations will be enforced from 7:30 p.m. to 9 p.m. EDT on September 6, 2004. The pyrotechnic display will be launched from 1 barge located within the regulated area. Under provisions of 33 CFR 100.509, a vessel may not enter the regulated area unless it receives permission from the Coast Guard Patrol Commander. Spectator vessels may anchor outside the regulated area but may not block a navigable channel.

In addition to this notice, the maritime community will be provided extensive advance notification via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly.

SALLY BRICE-O'HARA
Rear Admiral, U.S. Coast Guard
Commander, Fifth Coast Guard District

5. Special Local Regulations for Marine Events; Southern Branch, Elizabeth River, Portsmouth, VA

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish temporary special local regulations for the "International Search and Rescue Competition", a marine event to be held on the waters of the Southern Branch of the Elizabeth River at Portsmouth, Virginia. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in portions of the Southern Branch of the Elizabeth River during the event.

DATES: Comments and related material must reach the Coast Guard on or before [Insert date 30 days after date of publication in the FEDERAL REGISTER].

ADDRESSES: You may mail comments and related material to Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia

23704-5004, hand-deliver them to Room 119 at the same address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays, or fax them to (757) 398-6203. The Auxiliary and Recreational Boating Safety Branch, Fifth Coast Guard District, maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the above address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD05-04-138), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

In order to provide notice and an opportunity to comment before issuing an effective rule, we are providing a shorter than normal comment period. A 30-day comment period is sufficient to allow those who might be affected by this rulemaking to submit their comments because the regulations have a narrow, local application, and there will be local notifications in addition to the Federal Register publication such as press releases, marine information broadcasts, and the Local Notice to Mariners.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Commander (oax), Fifth Coast Guard District at the address under ADDRESSES explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the Federal Register.

Background and Purpose

The United States and Canadian Coast Guard Auxiliaries will sponsor the "International Search and Rescue Competition", a marine event to be held on the waters of the Southern Branch of the Elizabeth River at Portsmouth, Virginia, on **November 5 and 6, 2004**. The event will consist of International teams competing in various events designed to demonstrate competence in maritime search and rescue techniques. To provide for the safety of participants, spectators and support vessels, the Coast Guard proposes to temporarily restrict vessel traffic in the Southern Branch of the Elizabeth River, including the North Ferry Landing, during the event.

Discussion of Proposed Rule

The Coast Guard proposes to establish temporary special local regulations on waters of the Southern Branch of the Elizabeth River at Portsmouth, Virginia. The temporary regulations would be in effect from 8 a.m. to 6 p.m. on November 5 and 6, 2004. The effect would be to restrict general navigation in the regulated area during the event. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel would be allowed to enter or remain in the regulated area. The proposed regulated area is needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3 (f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6 (a) (3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. Although this proposed regulation would prevent traffic from transiting the Southern Branch of the Elizabeth River during the event, the effect of this proposed regulation would not be significant due to the limited duration that the regulated area will be in effect, and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly. Additionally, the proposed regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessel traffic would be able to transit the Southern Branch of the Elizabeth River whenever the Coast Guard Patrol Commander determines it safe to do so.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 - 612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605 (b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. This proposed rule would affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit the Southern Branch of the Elizabeth River during the event.

This proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons. This proposed rule would be in effect for only a short period. The proposed regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessel traffic will be allowed to transit the Southern Branch of the Elizabeth River whenever the Coast Guard Patrol Commander determines it safe to do so. Before the enforcement period, we would issue maritime advisories so mariners can adjust their plans accordingly.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see ADDRESSES) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213 (a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the address listed under ADDRESSES. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).
Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3 (a) and 3 (b) (2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.
Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded under figure 2-1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under those sections.

Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule. Comments on this section will be considered before we make the final decision on whether to categorically exclude this rule from further environmental review.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR Part 100 as follows:

PART 100-SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:
Authority: 33 U.S.C. 1233, Department of Homeland Security Delegation No. 0170.1

2. Add temporary § 100.35-T05-138 to read as follows:
§ 100.35-T05-138; Southern Branch, Elizabeth River, Portsmouth, VA

(a) Regulated area. The regulated area is established for the waters of the Southern Branch of the Elizabeth River including the North Ferry Landing, from shoreline to shoreline, bounded to the north by a line drawn along Latitude 36°50'23" N and bounded to the south by a line drawn along Latitude 36°50'12" N. All coordinates reference Datum NAD 1983.

(b) Definitions:

(1) Coast Guard Patrol Commander means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Hampton Roads.

(2) Official Patrol means any vessel assigned or approved by Commander, Coast Guard Group Hampton Roads with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(c) Special local regulations:

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol.

(ii) Proceed as directed by any Official Patrol.

(d) Effective period. This section is effective from 8 a.m. to 6 p.m. on November 5 and 6, 2004.

DATED: August 16, 2004

BEN R. THOMASON, III
Captain, U.S. Coast Guard
Acting Commander, Fifth Coast Guard District

6. Special Local Regulations for Marine Events; Western Branch, Elizabeth River, Portsmouth, VA

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish temporary special local regulations for the "Power in the Park" hydroplane races, a marine event to be held on the waters of the Southern Branch of the Elizabeth River at Portsmouth, Virginia on **September 25 and 26, 2004**. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in portions of the Western Branch of the Elizabeth River during the event.

DATES: Comments and related material must reach the Coast Guard on or before [Insert date 30 days after date of publication in the FEDERAL REGISTER].

ADDRESSES: You may mail comments and related material to Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, hand-deliver them to Room 119 at the same address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays, or fax them to (757) 398-6203. The Auxiliary and Recreational Boating Safety Branch, Fifth Coast Guard District, maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the above address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD05-04-152), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

In order to provide notice and an opportunity to comment before issuing an effective rule, we are providing a shorter than normal comment period. A 30-day comment period is sufficient to allow those who might be affected by this rulemaking to submit their comments because the regulations have a narrow, local application, and there will be local notifications in addition to the Federal Register publication such as press releases, marine information broadcasts, and the Local Notice to Mariners.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Commander (oax), Fifth Coast Guard District at the address under ADDRESSES explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the Federal Register.

Background and Purpose

The Virginia Boat Racing Association will sponsor the "Power in the Park" hydroplane races, a marine event to be held on the waters of the Western Branch of the Elizabeth River at Portsmouth, Virginia, on **September 25 and 26, 2004**. The event will consist of hydroplanes racing in heats around an oval course adjacent to Portsmouth City Park. To provide for the safety of participants, spectators and support vessels, the Coast Guard proposes to temporarily restrict vessel traffic in the event area during the races.

Discussion of Proposed Rule

The Coast Guard proposes to establish temporary special local regulations on waters of the Western Branch of the Elizabeth River at Portsmouth, Virginia. The temporary regulations would be in effect from 7:30 a.m. to 6:30 p.m. on September 25 and 26, 2004. The effect would be to restrict general navigation in the regulated area during the event. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel would be allowed to enter or remain in the regulated area. The proposed regulated area is needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3 (f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6 (a) (3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. Although this proposed regulation would prevent traffic from transiting or anchoring in the affected section of the Western Branch of the Elizabeth River during the event, the effect of this proposed regulation would not be significant due to the limited duration that the regulated area would be in effect and the extensive advance notifications that would be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly. Additionally, the proposed regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessel traffic would also be allowed to transit the regulated area between heats, when the Patrol Commander determines it safe to do so.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 - 612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605 (b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. This proposed rule would affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit or anchor in the Western Branch of the Elizabeth River during the event.

This proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons. This proposed rule would be in effect for only a short period. The proposed regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessels desiring to transit the Western Branch of the Elizabeth River during the event would be allowed to transit the regulated area between heats, when the Patrol Commander determines it safe to do so. Before the enforcement period, we would issue maritime advisories so mariners can adjust their plans accordingly.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see ADDRESSES) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213 (a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the address listed under ADDRESSES. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520.).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3 (a) and 3 (b) (2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2-1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under those sections.

Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule. Comments on this section will be considered before we make the final decision on whether to categorically exclude this rule from further environmental review.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR Part 100 as follows:

PART 100-SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, Department of Homeland Security Delegation No. 0170.1.

2. Add temporary § 100.35-T05-152 to read as follows:

§ 100.35-T05-152; Western Branch, Elizabeth River, Portsmouth, VA

(a) Regulated area. The regulated area is established for the waters of the Western Branch of the Elizabeth River from shoreline to shoreline, bounded to the east by a line drawn along Longitude 076°21'59" West and bounded to the west by a line drawn along Longitude 076°22'43" West. All coordinates reference Datum NAD 1983.

(b) Definitions.

(1) Coast Guard Patrol Commander means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Hampton Roads.

(2) Official Patrol means any vessel assigned or approved by Commander, Coast Guard Group Hampton Roads with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(c) Special local regulations.

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol.

(ii) Proceed as directed by any Official Patrol.

(d) Enforcement period. This section will be enforced from 7:30 a.m. to 6:30 p.m. on September 25 and 26, 2004.

DATED: August 18, 2004

BEN R. THOMASON, III
Captain, U.S. Coast Guard

Acting Commander, Fifth Coast Guard District

7. Special Local Regulations for Marine Events; Patapsco River, Baltimore, MD

ACTION: Notice of implementation of regulation.

SUMMARY: The Coast Guard is implementing the special local regulations at 33 CFR 100.515 during the 190th Defender's Day Celebration fireworks display to be held September 11, 2004, over the waters of the Patapsco River at Baltimore, Maryland. These special local regulations are necessary to control vessel traffic due to the confined nature of the waterway and expected vessel congestion during the fireworks display. The effect will be to restrict general navigation in the regulated area for the safety of spectators and vessels transiting the event area.

EFFECTIVE DATES: 33 CFR 100.515 is effective from 5:30 p.m. to 11 p.m. on September 11, 2004.

FOR FURTHER INFORMATION CONTACT: Ronald Houck, Marine Information Specialist, Commander, Coast Guard Activities Baltimore, 2401 Hawkins Point Road, Baltimore, MD 21226-1971, at (410) 576-2674.

SUPPLEMENTARY INFORMATION: The Society of the War of 1812, the City of Baltimore and the National Park Service will co-sponsor the 190th Defender's Day Celebration fireworks display on September 11, 2004 over the waters of the Patapsco River, Baltimore, Maryland. The fireworks display will be launched from a barge positioned within the regulated area. A fleet of spectator vessels is expected to gather nearby to view the aerial display. In order to ensure the safety of spectators and transiting vessels, 33 CFR 100.515 will be in effect for the duration of the event. Under provisions of 33 CFR 100.515, a vessel may not enter the regulated area unless it receives permission from the Coast Guard Patrol Commander. Spectator vessels may anchor outside the regulated area but may not block a navigable channel.

In addition to this notice, the maritime community will be provided extensive advance notification via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly.

DATED: August 18, 2004

BEN R. THOMASON, III
Captain, U.S. Coast Guard
Acting Commander, Fifth Coast Guard District

8. Special Local Regulations for Marine Events: Choptank River, Cambridge, MD

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish special local regulations during the "Cambridge Offshore Challenge", a marine event to be held over the waters of the Choptank River at Cambridge, Maryland. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in the Choptank River during the event.

DATES: Comments and related material must reach the Coast Guard on or before [Insert date 30 days after date of publication in the FEDERAL REGISTER.]

ADDRESSES: You may mail comments and related material to Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, hand-deliver them to Room 119 at the same address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays, or fax them to (757) 398-6203. The Auxiliary and Recreational Boating Safety Branch, Fifth Coast Guard District, maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the above address between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Dennis Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD05-04-147), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

In order to provide notice and an opportunity to comment before issuing an effective rule, we are providing a shorter than normal comment period. A 30-day comment period is sufficient to allow those who might be affected by this rulemaking to submit their comments because the regulations have a narrow, local application, and there will be local notifications in addition to the Federal Register publication such as press releases, marine information broadcasts, and the Local Notice to Mariners.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the address listed under ADDRESSES explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the Federal Register.

Background and Purpose

On **September 26, 2004**, the Chesapeake Bay Powerboat Association will sponsor the "2004 Cambridge Offshore Challenge", on the waters of the Choptank River at Cambridge, Maryland. The event will consist of approximately 50 offshore powerboats conducting high-speed competitive races between the Route 50 bridge and Chancellor Point. A fleet of approximately 250 spectator vessels is expected to gather nearby to view the competition. Due to the need for vessel control during the event, vessel traffic will be temporarily restricted to provide for the safety of participants, spectators and transiting vessels.

Discussion of Proposed Rule

The Coast Guard proposes to establish temporary special local regulations on specified waters of the Choptank River. The temporary special local regulations will be enforced from 10:30 a.m. to 5:30 p.m. on September 26, 2004, and will restrict general navigation in the regulated area during the event. Except for participants and vessels authorized by the Coast Guard Patrol Commander, no person or vessel will be allowed to enter or remain in the regulated area. These regulations are needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

Regulatory Evaluation

This proposed rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. Although this regulation will prevent traffic from transiting a portion of the Choptank River during the event, the effect of this regulation will not be significant due to the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly. Additionally, the regulated area has been narrowly tailored to impose the least impact on general navigation yet provide the level of safety deemed necessary. Vessel traffic will be able to transit the regulated area between heats, when the Coast Guard Patrol Commander deems it is safe to do so.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. This proposed rule would affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit or anchor in a portion of the Choptank River during the event.

This proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons. This proposed rule would be in effect for only a limited period. Vessel traffic will be able to transit the regulated area between heats, when the Coast Guard Patrol Commander deems it is safe to do so. Before the enforcement period, we will issue maritime advisories so mariners can adjust their plans

accordingly.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see ADDRESSES) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the address listed under ADDRESSES. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520.).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this proposed rule would not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under

Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards

Environment

We have analyzed this proposed rule under Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2-1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under that section.

Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule. Comments on this section will be considered before we make the final decision on whether to categorically exclude this rule from further environmental review.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 100 as follows:

PART 100-SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; Department of Homeland Security Delegation No. 0170.1.

2. Add a temporary § 100.35-T05-147 to read as follows:

§ 100.35-T05-147 Choptank River, Cambridge, MD

(a) Definitions:

(1) Coast Guard Patrol Commander means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(2) Official Patrol means any vessel assigned or approved by Commander, Coast Guard Activities Baltimore with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(3) Participant includes all vessels participating in the 2004 Cambridge Offshore Challenge under the auspices of the Marine Event Permit issued to the event sponsor and approved by Commander, Coast Guard Activities Baltimore.

(4) Regulated area includes all waters of the Choptank River, from shoreline to shoreline, bounded to the west by the Route 50 bridge and bounded to the east by a line drawn longitude 076°01'30" W at Chancellor Point. All coordinates reference Datum: NAD 1983.

(b) Special local regulations:

(1) Except for event participants and persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol.

(ii) Proceed as directed by any Official Patrol.

(iii) Unless otherwise directed by the Official Patrol, operate at a minimum wake speed not to exceed six (6) knots.

(c) Enforcement period. This section will enforced from 10:30 a.m. to 5:30 p.m. on September 26, 2004.

Dated: 16 August 2004

Ben R. Thomason, III
Captain, U.S. Coast Guard
Commander, Fifth Coast Guard District
Acting

9. Special Local Regulations for Marine Events; Susquehanna River, Port Deposit, MD

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations for "Ragin' on the River", a power boat race to be held over the waters of the Susquehanna River adjacent to Port Deposit, Maryland. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in portions of the Susquehanna River adjacent to Port Deposit, Maryland during the power boat race.

DATES: This rule is effective from 11 a.m. to 6:30 p.m on **September 4 and 5, 2004**.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket CGD05-04-143 and are available for inspection or copying at Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: D. M. Sens, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing an NPRM would be impracticable. The event will take place on September 4 and 5, 2004. There is not sufficient time to allow for a notice and comment period, prior to the event. Immediate action is needed to protect the safety of life at sea from the danger posed by high-speed power boats.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. Delaying the effective date would be contrary to the public interest, since immediate action is needed to ensure the safety of the event participants, spectator craft and other vessels transiting the event area. However advance notifications will be made to affected waterway users via marine information broadcasts and area newspapers.

Background and Purpose

On **September 4 and 5, 2004**, the Port Deposit Chamber of Commerce will sponsor the "Ragin' on the River", on the waters of the Susquehanna River. The event will consist of approximately 60 inboard hydroplanes and runabouts racing in heats counter-clockwise around an oval racecourse. A fleet of spectator vessels is expected to gather nearby to view the competition. Due to the need for vessel control during the event, vessel traffic will be temporarily restricted to provide for the safety of participants, spectators and transiting vessels.

Discussion of Rule

The Coast Guard is establishing temporary special local regulations on specified waters of the Susquehanna River adjacent to Port Deposit, Maryland. The regulated area includes a section of the Susquehanna River approximately 1500 yards long, and bounded in width by each shoreline. The temporary special local regulations will be enforced from 11 a.m. to 6:30 p.m. on September 4 and 5, 2004, and will restrict general navigation in the regulated area during the power boat race. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area during the enforcement period.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this temporary rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this regulation prevents traffic from transiting a portion of the Susquehanna River adjacent to Port Deposit, Maryland during the event, the effect of this regulation will not be significant due to the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via marine information broadcasts and area newspapers so mariners can adjust their plans accordingly.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to transit this section of the Susquehanna River during the event.

This rule will not have a significant economic impact on a substantial number of small entities for the following reasons. This rule will be in effect for only a short period, from 11 a.m. to 6:30 p.m. on September 4 and 5, 2004. Although the regulated area will apply to the entire width of the river, traffic may be allowed to pass through the regulated area with the permission of the Coast Guard patrol commander. In the case where the patrol commander authorizes passage through the regulated area during the event, vessels shall proceed at the minimum speed necessary to maintain a safe course that minimizes wake near the race course. Before the enforcement period, we will issue maritime advisories so mariners can adjust their plans accordingly.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National

Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2-1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine event permit are specifically excluded from further analysis and documentation under those sections. Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 100 as follows:

PART 100-SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, Department of Homeland Security Delegation No. 0170.1.

2. Add a temporary section, § 100.35-T05-143 to read as follows:

§ 100.35-T05-143, Susquehanna River, Port Deposit, Maryland.

(a) Regulated area. The regulated area is established for the waters of the Susquehanna River, adjacent to Port Deposit, Maryland, from shoreline to shoreline, bounded on the south by a line running northeasterly from a point along the shoreline at latitude 39°35'18" N, longitude 076°07'17" W, to latitude 39°35'48" N, longitude 076°06'27" W, and bounded on the north by a line running southwesterly from a point along the shoreline at latitude 39°36'22" N, longitude 076°07'08" W, to latitude 39°36'00" N, longitude 076°07'46" W. All coordinates reference Datum NAD 1983.

(b) Definitions:

(1) Coast Guard Patrol Commander means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Activities Baltimore.

(2) Official Patrol means any vessel assigned or approved by Commander, Coast Guard Activities Baltimore with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(c) Special local regulations:

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) the operator of any vessel in the regulated area shall:

(i) Stop the vessel immediately when directed to do so by any Official Patrol.

(ii) All persons and vessels shall comply with the instructions of the Official Patrol. The operator of a vessel in the regulated area shall stop the vessel immediately when instructed to do so by the Official Patrol and then proceed as directed. When authorized to transit the regulated area, all vessels shall proceed at the minimum speed necessary to maintain a safe course that minimizes wake near the race course.

(d) Enforcement period. This section will be enforced from 11 a.m. to 6:30 p.m. on September 4 and 5, 2004.

Dated: 18 August 2004

Ben R. Thomason
Captain, U.S. Coast Guard
Commander, Fifth Coast Guard District
Acting

10. Special Local Regulations for Marine Events; Hampton River, Hampton, VA

ACTION: Notice of implementation of regulation.

SUMMARY: The Coast Guard is implementing the special local regulations at 33 CFR 100.508 during the Hampton Bay Days Festival to be held **September 10 - 12, 2004**, on the waters of the Hampton River at Hampton, Virginia. These special local regulations are necessary to control vessel traffic due to the confined nature of the waterway and expected vessel congestion during the festival events. The effect will be to restrict general navigation in the regulated area for the safety of event participants, spectators and vessels transiting the event area.

EFFECTIVE DATES: 33 CFR 100.508 is effective from **12 p.m. EDT on September 10, 2004** through **6 p.m. EDT on September 12, 2004**.

FOR FURTHER INFORMATION CONTACT: Chief Petty Officer Michael Bowling, Marine Events Coordinator, Commander, Coast Guard Group Hampton Roads, 4000 Coast Guard Blvd., Portsmouth, VA 23703-2199, (757) 483-8521.

SUPPLEMENTARY INFORMATION: Hampton Bay Days, Inc. will sponsor the Hampton Bay Days Festival on September 10 - 12, 2004 on the Hampton River, Hampton, Virginia. The festival will include water ski demonstrations, personal watercraft and wake board competitions, paddle boat races, classic boat displays, fireworks displays and a helicopter rescue demonstration. A fleet of spectator vessels is expected to gather nearby to view the festival events. In order to ensure the safety of participants, spectators and transiting vessels, 33 CFR 100.508 will be in effect for the duration of the festival activities. Under provisions of 33 CFR 100.508, vessels may not enter the regulated area without permission from the Coast Guard Patrol Commander. Spectator vessels may enter and anchor in the special spectator anchorage areas if they proceed at slow, no wake speed. The Coast Guard Patrol Commander will allow vessels to transit the regulated area between festival events. Because these restrictions will be in effect for a limited period, they should not result in a significant disruption of maritime traffic.

In addition to this notice, the maritime community will be provided extensive advance notification via the Local Notice to Mariners, marine information broadcasts, and area newspapers, so mariners can adjust their plans accordingly.

DATED: 19 August 2004

SALLY BRICE-O'HARA
Rear Admiral, U.S. Coast Guard
Commander, Fifth Coast Guard District

